

**MEDICAL EXAMINING BOARD
REGULAR MEETING
FEBRUARY 19, 2003**

MEMBERS PRESENT: Drs. Lief Erickson, Alfred Franger, Ronald Grossman, Sidney Johnson, Sandra Mahkorn, Daniel Miota, Bhupinder Saini, Darold Treffert, and Virginia Heinemann

MEMBERS EXCUSED: Dr. Clark Olsen and Karen Kalishek

STAFF PRESENT: Deanna Zychowski, Bureau Director; Wayne Austin, Legal Counsel; Pamela Meicher, Program Assistant; and DOE staff for parts of the meeting

GUESTS: Mark Grapentine, WI Medical Society

CALL TO ORDER

Chair Sidney Johnson called the meeting to order at 8:01 a.m.

APPROVAL OF AGENDA

Amendments: Correction to July 24, 2002 minutes (A)
 Stipulation – Burton J. Friedman, M.D. (C)
 Stipulation – Raymond H. Purdy, M.D. (C)
 Issue Complaint – Shirley Yezdi Godiwalla, M.D. (F)
 Petition for Rehearing – Miles J. Jones (F)
 Stipulation – Arkan I. Alrashid, M.D. (J)

MOTION: Darold Treffert moved, seconded by Alfred Franger, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES JANUARY 22, 2003

MOTION: Alfred Franger moved, seconded by Ronald Grossman, to approve the minutes of January 22, 2003 as amended per typo corrections. Motion carried unanimously.

CORRECTION TO PAIN MANAGEMENT MOTION IN MINUTES JULY 24, 2002

Deanna Zychowski provided the Board with a corrected copy of the motion on pain management.

MOTION: Darold Treffert moved, seconded by Daniel Miota, to inform Dr. Dahl that the Board could not officially adopt the Model Guidelines from the Federation of State Medical Boards on pain management as a guideline since the Board does not have the authority to adopt guidelines but recommends that a statement be published in the regulatory digest that if a

practitioner followed the FSBMB guidelines, the practitioner would be practicing within the standard of care of a licensed physician.. Motion carried unanimously.

The Board would like to have pain management as an agenda item in the future.

SECRETARY DONSIA STRONG HILL

Secretary Donsia Strong Hill introduced her leadership team to the Board.

Deputy Secretary Mary Woolsey Schaefer began her career as an Assistant Attorney General. Her primary areas of practice have included health care finance and regulation, education law, and civil rights and constitution litigation. Ms. Schaefer has represented the Department of Regulation and Licensing in numerous matters over the years.

Christopher Klein, Executive Assistant and Legislature Liaison worked for candidate Doyle's campaign and worked as his personal assistant. Mr. Klein also has worked for Senator Kohl.

Division of Professional Credentialing and Renewal Administrator Cathy Pond has many years of civil service. Ms. Pond began with DRL in 1991 as an Administrative Assistant Supervisor. She took her current position of Central Services Supervisor in 1996.

Division of Management Services Administrator Cris Selin is an information technology professional with 20+ years of experience in business operations and computer system implementations. An accomplished manager and leader of project teams, she most recently served as a human resource information systems consultant and project engagement manager in companies across the nation in a variety of industries, including financial institutions, retail, insurance, legal, government, investment banking, telecommunications and utilities.

PRESENTATION OF PROPOSED STIPULATIONS

DOE attorney Arthur Thexton, presented a proposed stipulation in the matter concerning Robert Vincent, MD. This matter will be deliberated on in closed session.

DOE attorney Arthur Thexton and Attorney Colleen Meloy presented a proposed stipulation in the matter concerning Raymond Purdy, MD. This matter will be deliberated on in closed session.

PRESENTATION OF PROPOSED STIPULATION THAT MAY BE SIGNED AFTER MAILING OF AGENDA

DOE attorney James Polewski and Attorney James Gutglass presented a proposed stipulation in the matter concerning Burton J. Friedman, MD. This matter will be deliberated on in closed session.

REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES

The Board noted the report. Wayne Austin, Legal Counsel advised the Board that a decision is pending in the Buegel v. State of WI Medical Examining Board.

REPORT OF SCREENING COMMITTEE

Virginia Heinemann reported the Screening Committee reviewed 32 cases. Eleven cases were opened, 20 complaints were not opened and one case required more information.

RECESS TO CLOSED SESSION

MOTION: Alfred Franger moved, seconded by Ronald Grossman, to recess to closed session pursuant to Chapter 19.85 (1)(a), (b), (f), and (g), Wis. Stats, for the purpose of reviewing IPP cases for discharge or dismissal, conducting full board oral examination; deliberation of proposed stipulations, petition for rehearing, issuing a complaint, requesting stay of suspensions, requesting full licensure, reviewing case status, approval of order fixing costs, possible approval of completion of board orders, granting licenses and consulting with legal counsel. Roll call vote: Drs. Lief Erickson, Alfred Franger – yes, Ronald Grossman – yes, Sidney Johnson – yes, Sandra Mahkorn – yes, Daniel Miota – yes, Bhupinder Saini-yes, Darold Treffert and Virginia Heinemann. Motion carried unanimously.

Open session recessed at 8:35 a.m.

REVIEW OF IPP CASES FOR DISCHARGE OR DISMISSAL

Darwin Tichenor, IPP monitor provided the Board with three cases to review for dismissal or discharge from the program.

MOTION: Daniel Miota moved, seconded by Sandra Mahkorn, to discharge DG321 from his 5-year IPP program early on the basis of a clear record of compliance, and that he was in recovery 2 ½ years prior to entering IPP. Motion carried unanimously.

MOTION: Darold Treffert moved, seconded by Daniel Miota, to discharge RH294 from his IPP program based on non-compliance and to refer the case to DOE. If a case is not already open, open a case and skip the screening. Motion carried unanimously.

MOTION: Ronald Grossman moved, seconded by Alfred Franger, to discharge KQ445 from the IPP program based on the fact that he will not sign the proposed IPP agreement and to refer case to DOE. Motion carried unanimously.

DELIBERATION OF PROPOSED STIPULATION

BURTON J. FRIEDMAN, MD

MOTION: Lief Erickson moved, seconded by Daniel Miota, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of Burton J. Friedman, MD. Case advisor Ronald Grossman abstained. Darold Treffert voted no. Motion carried.

ROBERT A. VINCENT, MD

MOTION: Ronald Grossman moved, seconded by Alfred Franger, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of Robert A. Vincent, MD. Case adviser Darold Treffert abstained. Motion carried.

RAYMOND H. PURDY, MD

MOTION: Ronald Grossman moved, seconded by Alfred Franger, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of Raymond H. Purdy, MD. Case adviser Bhupinder Saini abstained. Motion carried.

PETITION FOR REHEARING

MILAN A. JECKLE, MD

MOTION: Alfred Franger moved, seconded by Daniel Miota, to deny the petition for a rehearing in the matter concerning Milan A. Jeckle, M.D. Motion carried unanimously.

ORDER FIXING COSTS

MILAN A. JECKLE, MD

MOTION: Virginia Heinemann moved, seconded by Alfred Franger, to approve the order fixing costs in the matter concerning Milan A. Jeckle, M.D. Motion carried unanimously.

PETITION FOR REHEARING

MILES J. JONES, MD

MOTION: Alfred Franger moved, seconded by Daniel Miota, to deny the petition for a rehearing in the matter concerning Miles J. Jones, M.D. Motion carried unanimously.

MILES J. JONES, MD

MOTION: Daniel Miota moved, seconded by Ronald Grossman, to approve the order fixing costs in the matter concerning Miles J. Jones, M.D. Motion carried unanimously.

FULL BOARD ORAL EXAM – DONALD E. BANICKI, M.D.

MOTION: Ronald Grossman moved, seconded by Alfred Franger, that Donald E. Banicki's score on his oral examination be recorded as pass and he be granted a full, unrestricted license. Motion carried unanimously.

REQUEST FOR SAY OF SUSPENSION – ROBERT FARNER, MD

MOTION: Ronald Grossman moved, seconded by Alfred Franger, to deny the three month stay of suspension in the matter concerning Robert Farner, MD. Motion carried unanimously.

MOTION: Ronald Grossman moved, seconded by Alfred Franger, to write Robert Farner, MD a letter stating that if he would like to surrender his license he may do so. Motion carried unanimously.

REQUEST FOR REINSTATEMENT

MARK BENSON, MD

MOTION: Alfred Franger moved, seconded by Sandra Mahkorn, to deny the request for reinstatement of the license for Mark Benson, M.D. Motion carried unanimously.

RAYMOND KOZIOL, MD

MOTION: Darold Treffert moved, seconded by Daniel Miota, to deny the request for reinstatement of the license for Raymond Koziol, MD, and ask him to appear at the next Board meeting. Motion carried unanimously.

ISSUE COMPLAINT – SHIRLEY YEZDI GODIWALLA, MD

MOTION: Daryl Treffert moved, seconded by Ronald Grossman, to issue a complaint against Shirley Yezdi Godiwalla M.D. Drs. Sandra Mahkorn and Lief Erickson were absent for deliberations and abstained. Motion carried.

**CLOSE DISCIPLINARY PROCEEDINGS AGAINST
SHIRLEY YEZDI GODIWALLA**

MOTION: Daryl Treffert moved, seconded by Ronald Grossman, to close the disciplinary proceedings against Shirley Yezdi Godiwalla M.D. Drs. Sandra Mahkorn and Lief Erickson were absent for deliberations and abstained. Motion carried.

DELIBERATION OF PROPOSED STIPULATION

ARKAN I. ALRASHID, MD

MOTION: Ronald Grossman moved, seconded by Lief Erickson, to adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matter of Arkan I. Alrashid, M.D. Case advisor Virginia Heinemann abstained. Motion carried.

CASE STATUS REPORT

MOTION: Alfred Franger moved, seconded by Ronald Grossman, to close complaint **02 MED 233**, for insufficient evidence. Motion carried unanimously.

MOTION: Bhupinder Saini moved, seconded by Alfred Franger, to close complaint **01 MED 285**, for compliance gained. Motion carried unanimously.

MOTION: Ronald Grossman moved, seconded by Alfred Franger, to close complaint **00 MED 080** for prosecutorial discretion with a flag. Motion carried unanimously.

MOTION: Darold Treffert moved, seconded by Ronald Grossman, to close complaint **02 MED 255**, for insufficient evidence. Motion carried unanimously.

MOTION: Lief Erickson moved, seconded by Alfred Franger, to close complaint **02 MED 146**, for no violation. Motion carried unanimously.

MOTION: Daniel Miota moved, seconded by Alfred Franger, to close complaint **02 MED 058**, for compliance gained. Motion carried unanimously.

MOTION: Daniel Miota moved, seconded by Ronald Grossman, to close complaint **01 MED 324**, for prosecutorial discretion. Motion carried unanimously.

MOTION: Daniel Miota moved, seconded by Alfred Franger, to close complaint **02 MED 376**, for no violation. Motion carried unanimously.

MOTION: Darold Treffert moved, seconded by Ronald Grossman, to close complaint **02 MED 293**, for compliance gained. Motion carried unanimously.

MOTION: Ronald Grossman moved, seconded by Bhupinder Saini, to close complaint **02 MED 429**, for no violation. Motion carried unanimously.

MOTION: Daniel Miota moved, seconded by Sandra Mahkorn, to close complaint **02 MED 423**, for no violation. Motion carried unanimously.

MOTION: Ronald Grossman moved, seconded by Daniel Miota, to close complaint **02 MED 435**, for insufficient evidence. Lief Erickson abstained. Motion carried.

MOTION: Sandra Mahkorn moved, seconded by Virginia Heinemann, to close complaint **02 MED 177**, for insufficient evidence. Darold Treffert voted no. Motion carried.

RATIFYING LICENSES AND CERTIFICATES

MOTION: Alfred Franger moved, seconded by Virginia Heinemann, to ratify the applicants as licensed to practice medicine and surgery in the State of Wisconsin. Motion carried unanimously.

MOTION: Alfred Franger moved, seconded by Virginia Heinemann, to ratify the applicants as licensed to practice as physician's assistants in the State of Wisconsin. Motion carried unanimously.

MOTION: Alfred Franger moved, seconded by Virginia Heinemann, to ratify the applicants as certified as respiratory care practitioners in the State of Wisconsin. Motion carried unanimously.

RECONVENE IN OPEN SESSION

MOTION: Ronald Grossman moved, seconded by Daniel Miota, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 11:57 a.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

MOTION: Daniel Miota moved, seconded by Alfred Franger, to reaffirm all motions made during closed session. Motion carried unanimously.

INFORMATIONAL ITEMS

The Board noted the articles on "BoardNet News", "Bill would monitor doctor's behavior", and "FSMB Legislative Services Report".

OTHER BOARD BUSINESS

The Suster formal complaint can now be released; however, the Judge put a stay on it so you cannot see the records.

ADJOURNMENT

MOTION: Alfred Franger moved, seconded by Virginia Heinemann, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:06 p.m.